

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: John Kevin COLLINS et al. Conf.: Unknown  
Appl. No.: NEW Group: Unknown  
Filed: June 26, 2003 Examiner: Unknown  
For: PROBIOTIC STRAINS FROM LACTOBACILLUS  
SALIVARIUS AND ANTIMICROBIAL AGENTS OBTAINED  
THEREFROM

**STATEMENT PURSUANT TO 37 C.F.R. § 1.821(E)**

Honorable Commissioner of Patents  
Washington, D.C. 20231

June 26, 2003

Sir:

Enclosed herewith in full compliance with 37 C.F.R. §§1.821-1.825 is a copy of the Sequence Listing that was filed in parent Application No. 09/367,105 on December 19, 2001. A copy of this Sequence Listing was also submitted in computer readable form (CRF) in full compliance with 37 C.F.R. §§1.821-1.825 in said Application No. 09/367,105 on December 19, 2001. The CFR of this Sequence Listing, file "1377-0137P.app", may be found in the file of application Serial No. 09/367,105. It was also filed on December 19, 2001, and is identical to the paper copy submitted herewith, except that it lacks formatting.

Applicants request the use of the compliant computer readable "Sequence Listing" that is already on file for the parent application 09/367,105 in the instant application. The paper copy of the Sequence Listing in this new application is identical to the computer readable copy filed in parent application Serial No. 09/367,105.

If necessary, the Commissioner is hereby authorized in this,

concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By: Gerald M. Murphy, Jr. (R 1040064)  
Gerald M. Murphy, Jr., #28,977

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

GMM/MAA/las  
1377-0188P